

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/822,484 Confirmation No.: 3028  
Applicant: Joseph M. Asher et al.  
Title: A LOTTERY AND AUCTION BASED TOURNAMENT ENTRY  
EXCHANGE PLATFORM  
Filed: April 12, 2004  
Art Unit: 3696  
Examiner: Ella Colbert  
Atty. Docket: 03-6157  
Customer No. 63710

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandra, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Sir or Madam:

Applicant does not necessarily agree with or acquiesce in the Examiner's reasons for allowance as set forth in the Notice of Allowance dated October 1, 2009 ("Notice"). Applicant recognizes that, in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the present application, Applicant does not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, Applicant does not concede that the all of the features identified by the Examiner in the Examiner's reasons for allowance are necessary to distinguish the art of record or to satisfy the requirements of 35 U.S.C. § 112. Furthermore, the claims may be patentable for other reasons. In addition, the dependent claims are allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

Nor does Applicant necessarily agree with or acquiesce in any other characterization of any claim term or rejection of any claim that the Examiner may have made during the pendency of the present patent application.

Applicant does not necessarily agree with any of the arguments or comments made by the Examiner regarding the art of record in the Examiner's reasons for allowance or during pendency of the present application.

Accordingly, this statement as well as any other statement, amendment, or silence on Applicant's part in no way means or implies that Applicant has in any way disavowed or abandoned any subject matter or claim scope as a result of the Examiner's characterizations or rejections.

Please apply any additional charges or credits to our Deposit Account No. 50-3938.

Respectfully submitted,

Dated: October 14, 2009

By: /Christopher D. Agnew/  
Christopher D. Agnew  
Reg. No. 43,464  
cagnew@cantor.com  
(857) 413-2050

Customer No: 63710